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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/750,606      | 12/29/2003  | Paul H. Bouchier     | 10001728-3          | 1340             |

7590 07/06/2007  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

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| EXAMINER |
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PHAN, RAYMOND NGAN

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| ART UNIT | PAPER NUMBER |
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2111

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| MAIL DATE | DELIVERY MODE |
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07/06/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/750,606 | <b>Applicant(s)</b><br>BOUCHIER ET AL. |  |
|                              | <b>Examiner</b><br>Raymond Phan      | <b>Art Unit</b><br>2111                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11-17, 19-27 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6, 11, 12, 14-16, 20 and 24-27 is/are rejected.
- 7) ☒ Claim(s) 3-5, 7, 8, 13, 17, 19, 21-23 and 30-32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

1. This action is responsive to the following communications: the remarks filed on April 14, 2007.
2. This application has been examined. Claims 1-8, 11-17, 19-27, 30-32 are pending.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 6, 11-12, 14-16, 20, 24-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over by Zalewski et al. (US Pub No. 2002/0052914) in view of Barenys et al. (US No. 6,564,348).

In regard to claims 1, 15, 27, Zalewski et al. disclose the multi-processor computer system comprising a plurality of processor boards with each board having at least one processor (see figure 2, para 43-45); wherein each partition includes at least one processor boards (see figure 2); wherein at least one partition has at least two cell boards (see figure 2). But Zalewski et al. do not disclose the data that describes a configuration for the computer system; switch processor connected to each of the processor board and manages configuration of the partitions (see figure 2A, col. 4, lines 12-25). However Barenys et al. disclose a switch processor 244 that is connected to each of the processor boards and manages configuration of the partitions (see figure 2A, col. 3, lines 1-25); data 291 that describes a configuration for the computer system (see figure 2A, col. 4, lines

12-25); wherein the service processor and each cell board store a copy of data (see figure 2A). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Barenys et al. into the teachings of Zalewski et al. because it would save repair cost and system downtime.

In regard to claims 2, 16, Zalewski et al. disclose each partition is running an operating system that is independent of the other partitions (see para 43-46).

In regard to claims 6, 20, Barenys et al. disclose the switch processor can command the operation of the processor boards (see col. 3, lines 38-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Barenys et al. into the teachings of Zalewski et al. because it would save repair cost and system downtime.

In regard to claims 11, 24, Barenys et al. disclose wherein the configuration file managed by central management (see col. 4, lines 12-25). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Barenys et al. into the teachings of Zalewski et al. because it would save repair cost and system downtime.

In regard to claims 12, 25, Barenys et al. disclose the information describing certain changes to the computer system are relay to the service processor (see col. 4, lines 12-32). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Barenys et al. into the teachings of Zalewski et al. because it would save repair cost and system downtime.

In regard to claims 14, 26, Barenys et al. disclose each partition configuring itself after switching (see col. 4, lines 12-25). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Barenys et al. into the teachings of Zalewski et al. because it would save repair cost and system downtime.

***Allowable Subject Matter***

5. Claims 3-5, 7-8, 13, 17, 19, 21-23, 30-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Argument***

6. Applicant's arguments, see pages 6-10, filed on April 14, 2007 with respect to the rejection of claims 1-2, 6, 11-12, 14-16, 20, 24-27 under 35USC103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Zalewski et al. and Barenys et al.

***Conclusion***

7. Claims 1-2, 6, 11-12, 14-16, 20, 24-27 are rejected. Claims 3-5, 7-8, 13, 17, 19, 21-23, 30-32 are objected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (571) 272-3630. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM. The Group Fax No. (571) 273-8300.

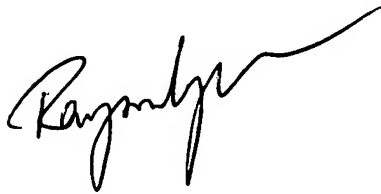
Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Art Unit: 2111

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 central telephone number is (571) 272-2100.

A handwritten signature in black ink, appearing to read 'Raymond Phan', with a long, sweeping horizontal line extending to the right.

**Raymond Phan**  
**June 19, 2007**